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PTO/SB/30 (5/2000)

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REQUEST FOR CONTINUED EXAMINATION (RCE) TRANSMITTAL

Subsection (b) of 35 U.S.C. §132, effective on May 29, 2000, provides for continued examination of a utility or plant application filed on or after June 8, 1995.

See the American Inventors Protection Act of 1999 (AIPA).

Application Number	10/015,499
Filing Date	DECEMBER 11, 2001
First Named Inventor	KEVIN P. BAKER
Group Art Unit	1647
Examiner Name	HAYES, ROBERT CLINTON
Attorney Docket Number	39780-2830 P1C42

This is a Request for Continued Examination (RCE) under 37 C.F.R. §1.114 of the above-identified application.

NOTE: 37 C.F.R. § 1.114 is effective on May 29, 2000. If the above-identified application was filed prior to May 29, 2000, applicant may wish to consider filing a continued prosecution application (CPA) under 37 C.F.R. s 1.53(d) (PTO/SB/29) instead of a RCE to be eligible for the patent term adjustment provisions of the AIPA. See Changes to Application Examination and Provisional Application Practice, Interim Rule, 65 Fed. Reg. 14865 (Mar. 20, 2000), 1233 Off. Gaz. Pat. Office 47 (Apr. 11, 20000), which established RCE practice.

1. Submission required under 37 C.F.R. §1.114.

a. ☒ Previously submitted

i. ☐ Consider the amendment(s)/reply under 37 C.F.R. §1.116
(Any unentered amendment(s) referred to above will be entered)

ii. ☒ Consider the arguments in the Appeal Brief or Reply Brief previously filed on January 11, 2006

iii. ☐ Other

b. ☒ Enclosed

i. ☒ Preliminary Amendment (18 pages)

ii. ☒ Affidavit(s)/Declaration(s) Second Declaration of Paul Polakis, Ph.D. With Exhibits A/B (13 pages); and Declaration of Randy Scott, Ph.D. (9 pages)

iii. ☒ Information Disclosure Statement (IDS) With Form PTO-1449 (10 pages); 149 References

iv. ☒ Other: Return postcard.

2. Miscellaneous

a. ☐ Suspension of action on the above-identified application is requested under 37 C.F.R. § 1.103(c) for a period of months. (Period of suspension shall not exceed 3 months; Fee under 37 C.F. R. § 1.17(i) required)

b. ☐ Other

3. Fees The RCE fee under 37 C.F.R. §1.17(e) is required by 37 C.F.R. § 1.114 when the RCE is filed.

a. ☒ The Director is hereby authorized to charge the following fees of **\$1,810.00**, or credit any overpayments to Deposit Account No. **08-1641** (Docket No. **39780-2830 P1C42**)

i. ☒ RCE fee required under 37 C.F.R. § 1.17(e) (\$790.00)

ii. ☒ Extension of time fee (37 C.F.R. §§ 1.136 and 1.17) (3 months - \$1,020.00/Large Entity)

iii. ☐ Other

b. ☐ Check in the amount of \$ enclosed

c. ☐ Payment by credit card (Form PTO-2038 enclosed)

SIGNATURE OF APPLICANT, ATTORNEY, OR AGENT REQUIRED

Name (Print/Type)	ANNA L. BARRY	Registration No. (Attorney/Agent)	51,436
Signature		Date	AUGUST 11, 2006

CERTIFICATE OF EXPRESS MAILING

I hereby certify that this correspondence is being deposited with the United States Postal Service "Express Mail Post office to Addresses" service under 37 C.F.R. §1.10 on the date indicated below and addressed to: MAIL STOP RCE, Commissioner for Patents, P.O. Box 1450, Alexandria, Virginia 22313-1450, on this date: AUGUST 11, 2006

Name (Print/Type)	C. FONG	Date:	AUGUST 11, 2006
Signature		Express Mail Label:	EV 765 979 634 US

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